

SUFFOLK COUNTY LEGISLATURE

ORGANIZATIONAL MEETING

FIRST DAY

January 3, 2005

THE ORGANIZATIONAL MEETING WAS HELD AT THE

WILLIAM H. ROGERS LEGISLATURE BUILDING

IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM,

725 VETERANS MEMORIAL HIGHWAY, SMITHTOWN, NEW YORK

Minutes Taken By:

Alison Mahoney & Lucia Braaten • Court Stenographers

Minutes Transcribed By:

Alison Mahoney • Court Stenographer

(* The meeting was called to order at 11:22 A.M. *)

ACTING P.O. CARACAPPA:

Good morning. Mr. Clerk, Happy New Year.

MR. BARTON:

Good morning, Mr. Chairman. Happy New Year.

ACTING P.O. CARACAPPA:

Please call the roll.

MR. BARTON:

Yes, sir.

*(*Roll Called by Mr. Barton • Clerk*)*

LEG. CARACCILO:

Here.

LEG. SCHNEIDERMAN:

Here.

LEG. O'LEARY:

Here.

LEG. CARACAPPA:

Here.

LEG. VILORIA • FISHER:

Here.

LEG. LOSQUADRO:

Present.

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. MONTANO:

Present.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. KENNEDY:

Here.

LEG. NOWICK:

Here.

LEG. BISHOP:

Here.

LEG. MYSTAL:

Here.

LEG. BINDER:

Here.

LEG. TONNA:

Here.

LEG. COOPER:

Here.

MR. BARTON:

18 present, Mr. Chairman.

ACTING P.O. CARACAPPA:

Thank you, Mr. Clerk. Would everyone please rise for a salute to the flag led by Legislator Carpenter.

Salutation

Please remain standing. I'd also once again like to introduce Legislator Angie Carpenter for the purposes of introducing today's clergy.

LEG. CARPENTER:

Thank you, Legislator Caracappa. I just thought of this as we're standing here that perhaps we should ask for a moment of silence for the victims of the Tsunami, and also for a constituent of mine who is really an icon, a legend in the •• on the Long Island Community and that is AJ Richard of PC Richard.

Moment of Silence Observed

Thank you. I would like to introduce, and it is an honor for me and a privilege to do so, our Clergy this morning who is the Pastor of St. Patrick's Church in Bay Shore, a church that has a long, proud history, hosts the annual St. Patrick's Day Parade every year. And Monsignor Nosser has been very, very involved not just in the St. Patrick's Community but certainly the entire community of Bay Shore and beyond and is a bit of an activist and helped us get our Department of Public Works moving with a crossing by the school and we're very happy that he is there and so involved in our community. So without further ado, I bring you Monsignor John Nosser.

MONSIGNOR NOSSER:

Thank you for the honor of this invitation and a very happy new year to all. Let us pray.

All mighty and loving God, we thank you and we praise you for all your blessings. Bless our Legislators each day of this new year with your gifts of wisdom and compassion. Give them the insight and courage to criticize when necessary, the strength to serve all of our citizens with fairness and justice, to cooperate rather than to compete, to respect rather than to revile, to seek understanding rather than to condemn. Bless them with your gifts of patience and goodness in all their deliberations. We ask this in your holy name, amen.

ACTING P.O. CARACAPPA:

I'd also just like to extend that moment of silence for Chief of Staff, my Chief of Staff, Linda Burkhardt's mother who suddenly passed just before Christmas.

Moment of Silence Observed

Thank you. Please be seated.

Hello, everybody. Happy New Year. Mr. Clerk, would you please read the Special Meeting Notice.

MR. BARTON:

Yes. Notice of a Special Meeting, dated December 27th to all County Legislators; "Please be advised that a Special Meeting of the Suffolk County Legislature will be held on January 3rd, 2005, at 11 AM in the Forenoon in the Rose Y. Caracappa Legislative Auditorium located at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Hauppauge, New York, pursuant to Section 2•6B of the Suffolk County Administrative Code for the following purpose," and the notice lists 15 items for the reorganization of the 2005 Legislature and is signed by Joseph T. Caracappa, Presiding Officer.

ACTING P.O. CARACAPPA:

Thank you, Mr. Clerk. We'll get right into the business of today's meeting. The first order of business is the ***Election of the Presiding Officer***; I recognize Legislator O'Leary for the purposes of a nomination.

LEG. O'LEARY:

Thank you, Mr. Presiding Officer. And I'm honored here today to make the nomination and motion for Presiding Officer of an individual who I think has exhibited that he has done the job and hopefully will continue to do the job.

Once elected by his peers in January of '04, a major factor was his well •earned reputation as someone who was respected and capable of performing the functions and responsibilities of Presiding Officer; A year later it is obvious that this respect has not diminished. As part of the majority, and at times for the support of the minority caucus, he has streamlined and professionalized the operations and functions of this august body. Not one to grandstand, showboat or take credit, his quiet but effective style of leadership, which is one of inclusion and not exclusion, has

led us through the every day functions and responsibilities relegated to this body of government. His respect for the history and traditions of this Legislature has guided him for the past year and I am certain will guide him in the future.

It is my honor to nominate and make a motion for this body to approve as the Presiding Officer of the Suffolk County Legislature for the year 2005 Legislator Joseph Caracappa. Thank you.

ACTING P.O. CARACAPPA:

Thank you, Legislator O'Leary. I recognize Legislator Losquadro for the purposes of a second.

LEG. LOSQUADRO:

Thank you, Legislator Caracappa. It is truly my honor and my privilege to second that motion for you as Presiding Officer of this body.

I would first like to say that it has been a wonderful experience for me to represent the 6th Legislative District over the course of this year. And I believe that in large part the success that I have had over the course of this year I owe to you and to other members of this body who I have tried to emulate and watch your success and how you have been dedicated not only to representing your constituents of the 4th Legislative District but to representing the needs and concerns of all of us here in this body. I think you have done a fantastic job to that end and it is truly my honor to serve with you and to second the nomination for you as Presiding Officer of this body.

ACTING P.O. CARACAPPA:

Thank you, Legislator Losquadro. I recognize Legislator Tonna.

LEG. TONNA:

Thank you very much. I'd also like to I guess second or third the nomination, in the unique position, it's funny how things come full circle. In 1997, I actually worked very hard with some colleagues to make sure that Joe Caracappa was not Presiding Officer, and the fact is is that after his last year, which I supported, I would have to say that I am really, really glad and heartened to support him as Presiding Officer this time.

And maybe this should be an example for all of us that, you know, things are said, bills are up and down, Legislators from time to time are going to argue, scream at each other, swear behind their backs that they're going to destroy the other one's political careers, whatever else. The vicissitudes of being a free-wielding Legislative body is something to marvel at sometimes. And the fact is is that when you look at somebody and the job that Joe has done this past year, I'm really proud to second it. You have done a really good job, Joe. And from somebody who served as a Presiding Officer three years, to watch you try as best you can with, again, a group of, you know, difficult people at best with, you know, their own parochial interests, with their own egos and with everything else that comes along with that job, to be able to basically corral some cats, to be able to try as best you can to move the body forward. And nothing to me has been more exemplary than the last year's budget process, and I would have to say that you kept the greatest traditions of this Legislature, you never let it get too partisan; you know, one battle is gone, then you move on for the next.

So I'd ask all of our Legislators just to remember that whatever is the past is the past and the future is the future and I'm very heartened by the fact that you're going to serve as the Presiding Officer for an organization and for a body that I have a lot of respect for and colleagues. So congratulations, Joe, because I know you were worried that I might be the one that tries to do something here. All I can tell you is that you have done a great job and you deserve to be reelected as Presiding Officer.

ACTING P.O. CARACAPPA:

Thank you so very much for those comments, Legislator Tonna.
I recognize Legislator Binder.

LEG. BINDER:

Thank you. In 15 years here, as we do this every year instead of every two years •• I for the first time actually agree with Newsday on something, we should probably do this every two years; and I have said that before so it's not just because I'm leaving. In 15 years I haven't made a second speech or a speech on the Presiding Officer or a discussion. I've usually had a completely awful December almost every year I've been here in the search

for the back and forth to have a Presiding Officer, the vicissitudes as was said, as I was involved with Mr. Tonna during those times and most of the back and forth that we have all been involved in, they have been difficult; this December has not been that way, this is one of the nicest Decembers I've had in a long time in this body. And I think •• as I think back over 15 years, I've seen the body grow, I've seen different people in the position, I saw Joe Caracappa, I saw you come to the Legislature a pretty young guy, pretty young thinking and had a ways to go; and maybe at the time that we were originally talking about you being the Presiding Officer, it probably wasn't time.

ACTING P.O. CARACAPPA:

I agree.

LEG. BINDER:

But the truth is in 15 years there's been a lot of people, a lot of growth, but of all the people that I've seen here in terms of their growth in the time that I've been here, Joe Caracappa has moved further along almost than anyone I've seen. His ability to deal not only with issues but with people, personalities, the two and fro of Suffolk County government which is one of the more difficult local governments probably in the country to deal with, not only from size and scope but the politics itself, so government and politics. And I watched over a year where Joe basically didn't want this kind of thrust upon him. I remember it was very surprising to him when we first talked about him being and then it liked like it was going to be and I think he was very troubled by even the thought of doing it, and after a year I think he questioned why did he do it, should he do it again, is it worth the trouble, the anguish, the time, the pain? But I know that in the end he •• I know, Joe, that you know that you are sitting here the best person for the job to take the body forward in this time and in this place.

You have grown into it admirably, you are I'd say •• in the 15 years I'm here, I'll say that you're doing the best job as Presiding Officer that I've seen, and that's a lot to say because I've seen them come and go. And I appreciate all you've done, I appreciate the work that you put in, I appreciate your anguish, I appreciate you doing this again, because I know there is a part of you that says not to do it. And I think that you

understand, as we've talked about, that it's necessary for a greater good that you do it and I'm glad that you didn't in the end want to walk away because I think we can all be better for it. I look forward to a very good year. And as I said, for the first time in 15 years I wholeheartedly support and endorse the motion made and I am incredibly glad to be able to lend my vote to Joe Caracappa for Presiding Officer. Thank you.

ACTING P.O. CARACAPPA:

Thank you, Legislator Binder, I really, really appreciate that. Legislator Montano.

LEG. MONTANO:

Legislator Caracappa, I just want to say, as you know, I was elected last year, my first meeting was January of last year and at that time I was asked to vote on the election of yourself as Presiding Officer and I chose to abstain; the reason I abstained was that I didn't know you, I hadn't spoken to you, I didn't know what kind of Presiding Officer you would be. But I must say very briefly that in the last year it's been a pleasure to work with you. I think you've been an outstanding PO, you have been fair, you have been honest, you have been straight, every time you have given me your word you've kept it, in this business that says a lot. I'm going to vote for you this year. I think you've done an excellent job, I'm sure you'll do an excellent job this year also. Good luck and thanks a lot for the fine time I've had this last year, hopefully we'll do it again.

ACTING P.O. CARACAPPA:

Thank you so much, Rick, I appreciate that. Legislator Carpenter.

LEG. CARPENTER:

Some very, very lovely things have been said about Joe and I can't help but think that there is one person who, if she could be with us today, would not be surprised at all and that was Legislator Rose Caracappa; I know she's very, very proud of you, Joe.

ACTING P.O. CARACAPPA:

Thank you all so very much. Are there any other nominations? Going once, twice? Roll call.

(*Roll Called by Mr. Barton • Clerk*)

LEG. O'LEARY:

Absolutely, yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACCILO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

ACTING P.O. CARACAPPA:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Is there some kind of deal here? Yes.

LEG. CARPENTER:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

MR. BARTON:

18.

Applause

***OATH OF OFFICE ADMINISTERED TO JOSEPH T. CARACAPPA
AS PRESIDING OFFICER OF THE SUFFOLK COUNTY LEGISLATURE***

P.O. CARACAPPA:

Thank you all so very much. I certainly appreciate it.

The second order of business is the ***Election of the Deputy Presiding Officer of the Suffolk County Legislature***. I recognize Legislator Nowick for the purposes of a nomination.

LEG. NOWICK:

Thank you, Legislator Caracappa. And let me say congratulations, I can't think of anybody better to fulfill this job.

P.O. CARACAPPA:

Thank you.

LEG. NOWICK:

Congratulations. It is my distinct privilege and honor today to place into nomination the name of a woman who has not only served her constituents admirably but has served the Legislature of Suffolk County for over a decade.

When she first won election to the Legislature, her margin of victory was small; however, it did not take long for this lady to prove herself. Her constituents saw her everywhere from Chamber of Commerce meetings, Girl Scout and Boy Scout award ceremonies, town meetings to events concerning veterans and seniors. Her voters began to realize that she truly represented them and every election thereafter she won a resounding victory.

Three years ago when I first ran for this position I met Legislator Carpenter and asked her if she liked her job, her answer to me was, "I love it." She told me the best part of being a Legislator is helping those in need. For Angie Carpenter, this is not a 9 to 5 position, she works many nights and many weekends, there is always more to read, more to see and more to learn. She prides herself on being prepared and always keeps in mind the people she serves. No matter the issue, large or small, Legislator Carpenter makes sure she knows the facts and knows how she wants to proceed.

The public knows Angie as hard working and ever•present, but there is another side to her, that of a wife, a mother and a loving and doting grandmother to her beautiful Sydney. As I watch this woman show her strength as she effectively chairs the Public Safety Committee, I know that she has a soft side as well. One can sense that she would do anything for

her family, she wants only the best for them and for the County that we all represent. She's not afraid to make the tough decisions or ask the hard questions. Angie Carpenter has worked tirelessly to make this a better County, one that will secure a bright future for our children.

As we enter the year 2005 we will meet many challenges, I know Angie will face them head•on. I'm so proud to serve on this Legislature with you, Angie, with a woman who has helped me along the way. From the first day I joined this Legislature I could turn to her, I wasn't embarrassed to ask her questions because she never judged, she advised and she so willingly taught me. We're so fortunate to have her to help guide this County. She represents all of us with dignity and enthusiasm, and as a woman I have even a greater sense of pride. I would, therefore, like to place into nomination my fellow Legislator and a person I choose to call my friend, Legislator Angie Carpenter.

P.O. CARACAPPA:

Thank you, Legislator Nowick. I recognize Legislator Alden for the purposes of a second.

LEG. ALDEN:

It's been truly an honor for me to serve with Angie Carpenter on this Legislature. This is the eight year together that we've served and for most of that time we actually shared portions of Bay Shore and Brentwood, so a lot of our districts actually overlapped, a lot of our constituents couldn't figure out which one to go to but Angie would always •• it didn't matter whether it was my constituent or her constituent, she would always help out.

I don't know of any other Legislator that works harder and has worked harder over the years. And that's with a sense, too, that there are some people in County that might want to take credit for everything, but Angie is one of the people that when there's a problem Angie just goes to work to solve the problem, and whether she gets credit for it or not, if she doesn't get credit she shrugs her shoulders and goes on knowing that the people in Suffolk County are better off for her effort. And I'll give you a couple of examples and I'm going to include Bill Lindsay in this, too, but our program for acquisitions slowed down; Angie saw that, rolled up her sleeves and

along with Bill Lindsay went and solved that problem and got our acquisitions going again.

The people of Suffolk County owe a huge debt to Angie Carpenter for all the years that she's served here. She's always volunteered and she's gone and worked on budgets and, as we all know, that can be a contentious type of process, but Angie Carpenter worked whether it was behind the scenes or out front, always crafted a budget that was best for the people of Suffolk County. Our fiscal stability and going forward, our future looks bright because of Legislator Angie Carpenter. I'm proud to place a second on Angie Carpenter's name.

P.O. CARACAPPA:

Thank you, Legislator Alden. Legislator Vilorina•Fisher then Binder.

LEG. VILORIA•FISHER:

Thank you, Mr. Chairman, and congratulations to you. No offense to Peter, but I do miss having you sitting at my right.

P.O. CARACAPPA:

I'll be back.

LEG. VILORIA•FISHER:

And when you were sitting here you would often say to me that you didn't like being in the spotlight, so I know that this wasn't something that you were seeking, that it was thrust upon you, but you have certainly worn it very well. Thank you, it's been great working with you this past year.

But on the nomination of Deputy Presiding Officer. Angie, I know how hard you work, I've seen you out there with your constituents, I've seen you at many events out there in our districts. And I appreciate the rules as I see them before us, there is a spirit of cooperation and a spirit of renewed unity in the Legislature that I see reflected in the rules that are before us. And the vote that I'm going to cast is not so much an endorsement of the past year, because there were some contentious issues that I think I don't want to see repeated next year, but I do hope that the vote that I cast will be the hope that we will have a less partisan beginning of the year, less

partisanship and more votes on merits of the bills.

Angie, you know that you and I have stood on different sides on a number of issues this past year and I hope that the year to come will be a more positive positioning of our votes. And so with that in mind, I do cast my vote in the hope of a more unified and smoothly run Legislature. I think that's reflected in the spirit, as I said, of the rules and certainly in our unanimous support of the Presiding Officer.

P.O. CARACAPPA:

Thank you. Legislator Binder.

LEG. BINDER:

Thank you. This is my first and last and only speech in favor of a Deputy Presiding Officer. Basically I guess I've seen everyone get elected here while I was in office, at one time or another, Angie may be going back the furthest other than •• I came in originally with Mike Caracciolo. And I've had I would say a contentious time •• talking about contentious, contentious time with Legislator Caracappa. Angie and I have had our ins and ups and downs and outs, but the one thing that I've always respected is what's been discussed here is that no one was more willing to spend the time and the effort and the energy to do what they believed in than Angie around here; she always rolled up her sleeves whether she was asked to or not and she got involved.

One of the things I didn't get to see until this last year was her leadership qualities. Because we're all Legislators, we all do our things, we're leaders on different pieces or different issues, but in the leadership roll I think Angie has shown herself to be just that, a leader. She was part of a team that I think made for a very good year in this Legislature in very stormy times. I think between Joe Caracappa as the Presiding Officer and Angie as the Deputy Presiding Officer, we have a focus on the institution and the need to protect and preserve the strength of the institution from attack. That is admirable and we have leadership doing it; and it's not a question of partisanship, it's a question of institution.

I've watched Republican County Executives •• well, when I first got here a Democrat County Executive, then Republican County Executive, then a

Democrat County Executive, it didn't really matter. County Executives, as they go, want to take power from and privileges of a Legislature. And we used to have a Counsel who would zealously, zealously defend those prerogatives of the Legislature and now he's zealously trying to take those prerogatives away, but that's because of where we are. It's the nature of the institution, it's not really as much the nature of the personality, but you have to have personalities who are willing to defend the institution from attack, that preserves government. Because if you don't have a true division of power, if you don't have strength of character and the leadership to protect that, then you lose the institution.

And Angie has shown me this year that she has that strength of character, not only will she put her nose to the grindstone and work, but she also has the strength of leadership and character to do that, to protect the institution. As you are terming out also, I would hope that there are going to be others who step up to protect the institution after some of us are gone because we're going to need that. But I am very, very proud to support you and vote for Angie Carpenter to continue to show that leadership this year.

P.O. CARACAPPA:

There's a motion and a second. Roll call.

(*Roll Called by Mr. Barton • Clerk*)

LEG. NOWICK:

Yes.

LEG. ALDEN:

Yes.

LEG. CARACCILO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

P.O. CARACAPPA:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. CARPENTER:

Yes.

LEG. KENNEDY:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

MR. BARTON:

18.

Applause

***OATH OF OFFICE ADMINISTERED TO ANGIE CARPENTER
AS DEPUTY PRESIDING OFFICER OF THE SUFFOLK COUNTY
LEGISLATURE***

P.O. CARACAPPA:

I know there's been some lengthy speeches, but if you allow me just about two minutes to say something of my own, I promise to be brief.

I would just like to thank you all again very much and also I'd just like to thank Legislators O'Leary and Losquadro for their motions, and to all of those who supported me and said such nice words.

Congratulations to Deputy Presiding Officer Carpenter, your reelection is well deserved and I want to give you my sincere thanks for your assistance over the past year. I am truly grateful for all your help.

I'm also grateful for all of you for your vote of confidence in me to once again serve as Presiding Officer. Know that I will continue to work diligently for this body with the hopes that you feel at least comfortable with my efforts.

To be elected to the post of Presiding Officer last year, it was one of the most incredible experiences I've ever felt, a bit overwhelming I might add. It goes without saying that this reelection stirs feelings that are simply indescribable and it is truly great honor. When I addressed you last year I made a pledge that I would be fair and balanced in my approach. I also promised that I would do whatever I could to make sure that you had

everything you would need in your respective districts to better serve your constituents. I hope that you feel that I've lived up to those words.

Aside from my pledges, I also mentioned that in the upcoming year, a year of true transition, that we as a body would be at a crossroads. I asked all of you that we stay on a road of bipartisanship and respect for one another, to continue to embrace our rich history of independence and to defend this institution whenever it came under attack; it is my belief that we all chose the right path. Over the last 12 months we have been faced with many challenges, some over policy and unfortunately too many over procedure. I cannot be more proud of the way in which we came together, again, in a bipartisan fashion to meet each and every one of those challenges. Whether it was the \$100 million savings plan, the capital, college and operating Budgets, affordable housing initiatives, the preservation of open space, the Environmental Bond Act, along with Tobacco 19 and so many others, this Legislature put aside its differences and we united to address the issues important to the residents of this County. And let me add this very important point; you did so in a way that was mature, responsible and respectful. So don't believe for one second the bogus editorial headlines that said otherwise; I feel those comments were ridiculous and absolutely wrong.

This upcoming year will also be unique in a sad sort of way; due to term limits we will be losing five incredible Legislators. I know that the five of you will be very busy in your attempts to complete projects and deal with policies that are important to your constituents. Please know that I will do all that I can to help you accomplish those tasks so that we might be able to solidify your legacies as hard working, dedicated County representatives. This County most certainly is a better place because of your efforts and it truly has been an honor to work with you over the many years that I've been here.

Speaking of honors, it's been an honor to work this year also with our Counsel, Mea Knapp. Mea, you and your staff have been challenged on a daily basis and I just want to say thank you for a job well done. The same holds true for Budget Review, Director Jim Spero and your entire staff, all of you have done a great job this year and we certainly appreciate it. Clerk Henry Barton, to your staff and yourself, your dedication and patience is

appreciated by us all. And of course to the entire PO staff, along with all the staffs from our respective districts, you too are faced with difficult circumstances on a daily basis and we all just want to say thank you.

So as we enter a new year, I look forward to working with each and every one of you, once again, and I do pledge that I will be fair and open to all. With that mutual respect for one another, I am confident that we will continue to achieve great things for the people of this County as well as uphold the great traditions of the Suffolk County Legislature. I thank you again.

Applause

LEG. MYSTAL:

Joe?

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

Thank you, just one minute. I wasn't in town last week, I went on vacation and I heard there were some pretty ugly headlines in the newspapers. As an observer of this Legislature since 1998, I want it to be noted this is the least amount of people we've ever had in the auditorium on the Reorganizational Meeting, and I think the reason being is because we don't have any contentious fight and I think that's what the newspapers and the reporters don't like. For those of you who have been around here, usually people are hanging out in the hallway because they are waiting for the fight, they are waiting for the contentiousness, they are waiting for •• so I want it to be noted that this is smooth, it is good and may we live long.

LEG. VILORIA•FISHER:

Happy New Year.

P.O. CARACAPPA:

God bless that.

LEG. LINDSAY:

Can I follow up on that?

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

I don't mean to prolong this but to pick up on Legislator Mystal's point, I'm going to take a quote from a former Presiding Officer, Paul Tonna, "You can feel the love." You know, the only thing that's missing is a bald joke, you know, usually he used to put in a bald joke right after that statement.

P.O. CARACAPPA:

It's coming, trust me.

LEG. LINDSAY:

I just hope that as the year progresses that we continue in this spirit of bipartisanship and to get the people's work done.

P.O. CARACAPPA:

Thank you, Legislator Lindsay. Legislator Carpenter.

LEG. CARPENTER:

Thank you. I just want to thank everyone for their vote. I know how precious a vote is and sitting here this morning when Joe was calling the roll, being one of those five people who are term limited out, I couldn't help but think this is going to be the first of many lasts over the course of this year; it would be my last roll call at an Organizational Meeting. And I just want to say how proud I am of this body and to be a part of this body, it is absolutely the most awesome representation of government that there is, that the public can be a part of it, feel a part of it. And I want to thank Joe for his leadership this year and for recognizing the incredible team that we have that works with us, all of our staff, Counsel, the BRO and the Clerk's Office, and it really is an incredible institution. So I thank you all.

P.O. CARACAPPA:

Thank you, Legislator •• Deputy Presiding Officer Carpenter.

Okay, moving on, ***Adopting the Rules of the County Legislature.***

LEG. FOLEY:

Motion, Mr. Chairman.

LEG. O'LEARY:

Second.

LEG. CARPENTER:

Second.

P.O. CARACAPPA:

Motion to approve by Legislator Foley, second by Legislator O'Leary and Carpenter.

LEG. FOLEY:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Foley.

LEG. FOLEY:

Yeah, thank you, Mr. Chairman. Just to follow•up on comments particularly about the bipartisan spirit that we have presented before us today, we're seeing a concrete demonstration of that bipartisanship with the adoption of the new rules.

In particular, there was quite a bit of debate a year ago about the creation of the Rules Committee. It created quite a bit of discussion and disagreement and I'm happy to see that the Rules Committee, after a one year experiment, will be deleted from the upcoming committee cycle.

Secondly, we had quite a bit of discussion about how in past years, prior to last year, it was the discretion of any Legislator to make a discharge motion on the floor, a verbal discharge motion on the floor of a General Meeting. Last year it became much more restrictive, we had debate and discussion

about that very particular rule at the last Legislative meeting, and I'm happy to see that that particular overly restrictive limitation of discharge motions has been eliminated. We'll go back to our traditional method where any Legislator can make a discharge motion on the floor of a particular meeting.

Those two I think are concrete examples of how when we reach across party lines and try to work together for the good of the institution, we are empowering ourselves as Legislators and we're empowering this institution. So Mr. Chairman, I'm happy to make the motion and I'm glad to see that we've made those changes to the rules. If there are other nuance changes that should be at least mentioned by Counsel prior to the vote, I would, through the chair, ask her to tell us about those particular changes. Thank you, Mr. Chairman.

P.O. CARACAPPA:

Certainly, Legislator Foley. Counsel, if you would.

MS. KNAPP:

I think that most of the rule changes •• and I think that you all have a cover sheet that points them out •• most of the rule changes relate either to the elimination of the Rules Committee. And a change that was made this year where instead of repeating the phrase Resolution, Charter Law, Local Law, Memorializing Resolution, Sense of the Legislature Resolution, Home Rule Message or other non•official Home Rule Message, we've put that in once at the beginning and then herein after it's referred to as legislation, and that's a change that is carried through.

We've deleted references to primary committee and simply referred to assigned committee in recognition of the fact that there is one committee assignment. Other than that, most of the rules changes have been consolidations and eliminations, I can go through them specifically. I would like to point out one, though, that due to an error on my part has confused some people in that in deleting A6A, it was not, in fact, fully deleted, it was deleted in recognition of the fact that the language, literally word for word, is contained in 8D I believe it is. And while I make reference to 8A and B, it is, in fact, D in which the language is repeated word for word.

Other than that, I would point out that the order of succession in meetings

has been clarified in that when the Presiding Officer and the Deputy Presiding Officer are both absent, it falls •• and there's been no designation made by the Presiding Officer, it falls first to the Majority Leader and then to the Minority Leader.

We've tried to clarify the six month rule to make it very clear that legislation expires six months from the date on which it's laid on the table; the rule did state that but apparently not in crystal clear terms.

There is another change where it again clarifies the electronic filing requirement, that if there is an electronic version that differs from a paper version, then that filing will be a nullity and it will either have to be a late starter or filed at a different date. In Rule 7 we've reduced the time in which Legislators can speak from ten minutes to five minutes on any one particular item.

LEG. CARACCILO:

That's a Foley rule.

LEG. FOLEY:

No, that's your rule, my friend.

LEG. LINDSAY:

Why don't you's talk about it.

LEG. FOLEY:

I've ceded that over to you, Mike, but we can discuss it if you'd like.

P.O. CARACAPPA:

Only for five minutes a piece.

LEG. FOLEY:

It would still then amount to ten, though.

LEG. O'LEARY:

Actually it's a Bishop's rule.

MS. KNAPP:

In Rule 9 we've clarified the public hearings being held in committees. We've also added •• and again, in recognition of a discussion that came up in an earlier meeting •• the order of motion precedence when there's a motion to recess to full Legislature or recess to committee. We have deleted Rule 9I which had previously not been utilized which required an additional public hearing when there was an increase in revenue of more than a million dollars. In Rule 12 we've deleted C and D which detailed the quorum rules. And I think that really covers it, unless anybody has any specific questions about any of the changes.

P.O. CARACAPPA:

Okay? There's a motion and a second to approve. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

The rules are approved, that's good.

Okay, moving on to ***Appointing the Clerk of the County Legislature, Henry L. Barton.***

LEG. FOLEY:

I will make the motion, Mr. Chairman.

P.O. CARACAPPA:

Legislator Foley makes the motion.

LEG. NOWICK:

Second.

P.O. CARACAPPA:

Seconded by Legislator Nowick to put the name of Henry Barton into consideration to succeed himself. Are there any other motions?

LEG. MYSTAL:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Mystal. Are you ready for this?

LEG. MYSTAL:

Are we okay, Henry?

MR. BARTON:

I'm fine, sir.

LEG. MYSTAL:

There you go; a private joke.

P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

Just to pick up a little bit more on our Presiding Officer and Deputy Presiding Officer before. Henry, I think you and your staff have done an excellent job and it is •• it's trying at times, there's a lot of flurry of activity, especially around meeting dates and deadline dates. And I want to say that, you know, you make that all that stuff flow very nicely for us so that we can sit here and debate these issues and do the people's business. So behind the scenes it's you and your staff really that keeps all this stuff going, so I want to thank you very much.

MR. BARTON:

Thank you, sir.

P.O. CARACAPPA:

I echo those statements. Henry, you work very well with my staff and myself and all of us, all of our staffs. Like Cameron said, it could be trying at times, but you've handled it year after year after year and I know it was a most difficult year for your staff and yourself. And again, it's certainly appreciated and your re•election is well deserved. Any other motions? Any

other nominations? Roll call.

(*Roll Called by Mr. Barton • Clerk*)

LEG. FOLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. CARACCILO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. KENNEDY:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

LEG. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18.

LEG. ALDEN:

Can he announce the results?

Applause

MR. BARTON:

Thank you very much.

P.O. CARACAPPA:

Moving on, ***Appointing the Chief Deputy Clerk of the County Legislature, Alexandra (Sandy) Sullivan.*** There's a motion by Legislator Schneiderman, second by Legislator O'Leary and Caracciolo. Any other motions? Any other nominations? Roll call.

(*Roll Called by Mr. Barton • Clerk*)

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

LEG. CARACCILO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

LEG. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18.

P.O. CARACAPPA:

Congratulations.

Applause

Appointing Deputy Clerk of the County Legislature, Ilona G. Julius.

LEG. CARPENTER:

Motion.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Motion by Legislator •• Deputy Presiding Officer Carpenter, second by Legislator Alden. Any other nominations? Roll call.

(* Roll Called by Mr. Barton • Clerk*)

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18.

P.O. CARACAPPA:

Congratulations, Ilona. Welcome back.

Applause

I'd ask the Clerk, Deputy Clerk, Chief Deputy Clerk to step forward for your Oaths of Office and to sign the book.

**OATHS OF OFFICE ADMINISTERED TO
HENRY L. BARTON, CLERK OF THE SUFFOLK COUNTY LEGISLATURE
ALEXANDRA SULLIVAN, CHIEF DEPUTY CLERK OF THE SC
LEGISLATURE
& ILONA G. JULIUS, DEPUTY CLERK OF THE SUFFOLK COUNTY
LEGISLATURE**

P.O. CARACAPPA:

Okay, congratulations again.

MR. BARTON:

Thank you very much.

P.O. CARACAPPA:

Next, **Appointing Counsel to the Legislature, Mea Knapp.**

LEG. BINDER:

Motion.

P.O. CARACAPPA:

Just let me put in it's my pleasure to make the motion ••

LEG. BINDER:

I will second.

P.O. CARACAPPA:

•• to reappoint Mea Knapp to succeed herself as Legislative Counsel.

LEG. BINDER:

Second.

P.O. CARACAPPA:

Second by Legislator Binder.

LEG. CARPENTER:

And second.

P.O. CARACAPPA:

Just let me say, Mea, again, as I mentioned earlier, your work this year has been stellar. There have been many road blocks thrown up to keep you from doing your job at times, but you cleared those road blocks easily, you worked so hard for each and every one of us and you helped make the year smooth and very efficient as well as productive. We owe you and your staff a tremendous amount of thanks. So, Legislator Binder.

LEG. BINDER:

Thanks. Mr. Chairman, last year when we were first discussing whether to put Ms. Knapp's name in for this job, we went back and forth in the discussion and I was very concerned about whether her way, demeanor, and constitution could put up with the personalities of this institution, and I was very concerned how it was going to turn out.

We had 14 years, at least that I was here, of one Counsel who pretty much knew everything about everything going on here and everyone questioned every year whether we could do it without that Counsel and could we put someone else in and to take Mea Knapp and put her in, that was a big question. And I have to tell you something, after watching for a year the level of professionalism that I've seen this Counsel display, the abilities to deal with the personalities here, all of it combined, and the ability, on top of everything, and the fortitude to take the attack from the places where the attack came from, I am surprised that she withstood. I am very, very happy to see I was completely and absolutely wrong when I first was concerned about whether she should be the Counsel.

LEG. CARPENTER:

We weren't.

LEG. BINDER:

I am •• yes, there were some who did know it and I didn't. And even after three hours of speaking to Mea, I still wasn't sure, but after a year I am very happy that we have Mea Knapp as Counsel. This body has grown because of the change, this body is better for our Counsel. And I have to say, it's not only our Counsel but, you know, I see the staff behind smiling also. She's

taken the staff and utilized talents beyond where they have been utilized. And I just want to say that I'm very happy and very proud to be able to second the nomination and to vote for her and also say that long after those of us who are leaving are gone, I hope that you will be Counsel and that you'll hold the banner in this institution and do what you've been doing. When I said •• talked about before, defend the institution and you have admirably done that with professionalism. And again, I am very proud to be able to vote for you today.

P.O. CARACAPPA:

Thank you, Legislator Binder. Next is Legislator Alden, then Montano.

LEG. ALDEN:

Unlike Legislator Binder, I never had any doubts when Mea Knapp's name was brought forward, except that maybe she would come to her senses and not take the job. But the professionalism •• and Legislator Binder did hit on this, but the professionalism in that office I am so impressed with. And although I was only here for seven years under any prior type of operations, I think the elevation of our institution of the Suffolk County Legislature, it can't be •• you can't underestimate the amount of contribution that you made to it.

I am very, very proud to have actually worked with Mea Knapp before, and I'm not going to go into stories about how she tried to strangle me or anything like that when I worked with her in the past, but as far as her knowledge of the law and her willingness to put in the extra hours and do whatever she has to do to actually get the job done and to bring forth a great work product, it can't be underestimated as far as how much that has contributed to our ability to serve the people of Suffolk County. So thank you for your last year of service and I look forward to you serving at least this next year and possibly into the future when you would take a well deserved rest.

P.O. CARACAPPA:

Legislator Montano.

LEG. MONTANO:

Yes, thank you, Mr. Presiding Officer. Mea, last year when I came in I also abstained on the vote to appoint you as Counsel and that was the same reason, I didn't know you, I hadn't seen your resume. But I must say, and I think you know this, it's been a real pleasure sitting next to you this year, working with you. I'd like to go on either as a cosponsor or a cosecond to this motion. I think you've done an excellent job. You know that I have the utmost respect for you as an attorney and the utmost respect for your character. You have helped me a lot and it's been a real pleasure, I'm looking forward to voting for you this year. I'm glad it wasn't a two year vote because then I wouldn't have a chance to change my vote. Good luck and I've had a lot of fun in this Legislature and you have been part of that. Thank you very much.

P.O. CARACAPPA:

Recognize that Legislator Montano also seconds that nomination. Legislator Tonna.

LEG. TONNA:

I'd like to •• after a number of years with our legal counsel, Paul Sabatino, who I guess ten of those years we spent together and we're very indebted to him for the services that he provided all those years, I'd have to say that you have been a real class act, Mea. It's been a wonderful transition when, you know, sometimes you don't have the imagination to kind of think past what has always been. And all I can say is that I felt that when we worked hard to get you in at OTB, I felt that that was a much needed change and the professionalism that you provided there, the credibility, the quality of work and the integrity that you brought to that position and here, once again, you've done it. And to tell you quite honestly, I think that our Presiding Officer, Joe Caracappa, looks better and has •• you know, because of your professionalism and because of your presence. And so it's been a really, really good team and I'm just glad to finish out my Legislative career with you as our Legal Counsel.

P.O. CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

Thank you. It seems that the words that keep coming up are professionalism and integrity and respect and Mea really has brought all of this to the office. Her •• I guess her experience over the years has really served her well and served this body well, and there isn't a person that you can speak to in and out of County government who has had dealings with Mea who would not describe her in the same way. So I look forward to another year and we're very, very fortunate that she is willing to tackle this role again. And the one thing that wasn't said that I've noticed is that she really does have an incredible work ethic, too. So thank you.

P.O. CARACAPPA:

Legislator Losquadro then Schneiderman.

LEG. LOSQUADRO:

Thank you, Mr. Presiding Officer. Another person to whom I owe whatever measure of success that I've had this year is our legal counsel and her staff. For someone who came in without any previous experience in government, our Counsel has taken the time, sometimes a half an hour or an hour at a clip to sit down at her office and explain things to me and go over things and has really been very kind when certain things have shown up perhaps five minutes before a deadline. And I just wanted to say thank you for all of your help and I look forward to working with you for another very successful year.

P.O. CARACAPPA:

Legislator Schneiderman then Vilorio•Fisher.

LEG. SCHNEIDERMAN:

I'm going to add to the accolades here. Mea, it's really been a joy working with you for the past year and I'm so happy that you're willing to stay on and suffer through another year with us.

I would like to add on, many words have been said that speak to your competence and your professionalism, and I also want to add patience and grace. You really have been so kind in the way you have dealt with us, I know for me in my dealings with you, you know, I really savor the conversations we've had. Sometimes I come up with some crazy ideas for

legislation and you seem to turn them into these eloquent resolutions and I really want to thank you for all the time you've given me and your patience in working with me.

P.O. CARACAPPA:

Legislator Vilorio • Fisher.

LEG. VILORIA • FISHER:

Mea, I would like to echo the Deputy Presiding Officer's comments regarding your work ethic. And I have a jar of peanut butter at home with your name on it to commemorate that for all the days that I've seen that you miss your lunch and all you do is grab a cracker with some •• she has peanut butter in her desk drawer. And you just work through the day and don't take a break at all and just keep going and work hard at it, so I thank you for that.

P.O. CARACAPPA:

Okay. And I'll just finalize, like Legislator Tonna said, if there's anyone that benefits the most from you returning it certainly is me and I'm so very thankful that you are. Motion and a second. Roll call.

(*Roll Called by Mr. Barton • Clerk*)

P.O. CARACAPPA:

Absolutely, yes.

LEG. BINDER:

Yes.

LEG. CARACCILOLO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. MYSTAL:

Yes.

LEG. TONNA:

Yep.

LEG. COOPER:

Yes.

LEG. CARPENTER:

Yes.

MR. BARTON:

18.

Applause

***OATH OF OFFICE ADMINISTERED TO MEA KNAPP, COUNSEL TO THE
LEGISLATURE***

P.O. CARACAPPA:

Congratulations, Mea.

Moving on, **Adopting Regular Schedule of Meetings for the County
Legislature.**

LEG. MYSTAL:

On the motion.

P.O. CARACAPPA:

Ladies and gentlemen, there is a schedule before you.

LEG. FOLEY:

Mr. Chairman?

P.O. CARACAPPA:

Sure will. I'll just make a motion for the sake of discussing ••

LEG. FOLEY:

Motion.

P.O. CARACAPPA:

Second by Legislator Foley. On that motion, Legislator Mystal then Foley
then Viloría•Fisher.

LEG. MYSTAL:

I only have one question, is there any way we can move that meeting on

December 20th to earlier? It's just that I have a daughter in college and she gets out around the 16th and we like to go on vacation together.

LEG. ALDEN:

Let's do away with it.

P.O. CARACAPPA:

The problem we face with the December 20th meeting is twofold; the veto overrides on the Operating Budget, as well as the warrants, so we're kind of locked into it.

LEG. VILORIA•FISHER:

We've had it later than that in the past.

P.O. CARACAPPA:

This year we had it the 21st.

LEG. MYSTAL:

We had it the 21st this year.

LEG. FOLEY:

We improved it by a day.

LEG. MYSTAL:

I'm trying to get it done on the 14th.

LEG. BISHOP:

Why don't you do it the Friday before the last meeting? It's the last meeting for five of us, we'll have a blow out.

P.O. CARACAPPA:

On a Friday; that's not a bad idea.

LEG. CARPENTER:

Well, I don't know if you can change.

P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

You know, we spoke about the difficult job that the Clerk has being the Clerk; if we move it to the Friday before of committee week it's going to be quite a bit work and ••

LEG. TONNA:

Tough luck.

LEG. FOLEY:

The other point •• tough luck Tonna said. The other point is leave it on Monday, that's let's say the holiday week and it would be a good way to start the holiday week with this particular meeting.

LEG. VILORIA•FISHER:

Actually it's on a Tuesday.

LEG. FOLEY:

It's on Tuesday, rather, thank you. It's on a Tuesday, it's in the middle of the holiday week and I think it would be the right way to end the time. But let me just bring up this, Mr. Chairman. On the •• and this is what Legislator Viloria•Fisher was going to mention. At the March meeting ••

LEG. VILORIA•FISHER:

No, it's not the March meeting, it's committee meeting week.

LEG. FOLEY:

It's committee week, there's a Thursday, Holy Thursday.

LEG. MYSTAL:

It's Holy Thursday, yes.

LEG. FOLEY:

And if there's a way that you could make sure that that particular Thursday's committee day could be moved to Monday.

LEG. TONNA:

Absolutely.

LEG. FOLEY:

We'll move everything back a day, because I think that would be helpful for a number of us.

MS. BURKHARDT:

I made a note of it.

LEG. VILORIA • FISHER:

You made a note of it?

LEG. FOLEY:

Has that been noted?

LEG. VILORIA • FISHER:

Yeah, that's Thursday, March 24th ••

LEG. FOLEY:

Okay, thank you.

LEG. VILORIA • FISHER:

•• is the day in question.

D.P.O. CARPENTER:

Are there any other questions or comments? Legislator Mystal?

LEG. MYSTAL:

Just to end it in terms of the December 20th meeting is that it kills the weekend for those of us who still have younger children because •• we should try to go •• that Friday meeting sounds good to me. If we had the meeting on Friday ••

LEG. BINDER:

Friday is bad, you can't do Friday.

LEG. MYSTAL:

Oh, can't do Friday. All right, Thursday?

MR. BARTON:

I'm assuming that committees are scheduled to meet that Thursday before.

LEG. MYSTAL:

Well, can we move the committees like to a Monday or something like that and then have it on Thursday, it would give us the weekend or something.

LEG. BISHOP:

You can move the Thursday to the 9th.

MR. BARTON:

You've got a General Meeting on December 6th.

D.P.O. CARPENTER:

I would just suggest that, you know, we not try to do this right now, that perhaps there is some legal reason or looking at the scheduling for the warrants and everything else that's involved. And as the Presiding Officer said earlier, the overrides for the Operating Budget, we may wind up being called back for a special meeting if we don't have that meeting on the 20th.

P.O. CARACAPPA:

I have a legal question. Could we on any of these dates set it as tentative on our schedule with the option to, as the year progresses, change it as we see fit?

LEG. TONNA:

How about we just X it out and call a meeting if we need it?

LEG. CARPENTER:

You have to have it.

LEG. ALDEN:

Good idea, X it out.

P.O. CARACAPPA:

Counsel?

MS. KNAPP:

You can •• this is a resolution and like any other resolution we can amend it as the year goes on, and apparently it has been done in the past.

LEG. FOLEY:

Mr. Chairman, through the Chair, why don't we approve this and with Counsel's counsel, we can revisit this in short order as opposed to debating it today.

P.O. CARACAPPA:

You took the words out of my mouth.

LEG. FOLEY:

Let's approve it and then if we need to fine tune it we can.

LEG. TONNA:

Yeah, yeah, yep.

P.O. CARACAPPA:

I fully agree with that. So there is a motion and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Meetings are approved.

Resolution No. 8 • Designating depositories pursuant to Section 212 of the New York County Law.

LEG. CARPENTER:

Motion.

P.O. CARACAPPA:

They're all listed. Motion by Legislator Carpenter, second by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Resolution No. 9 • Designating two alternative • • alternating newspapers as one of the official newspapers of the County of Suffolk (Republican).

LEG. NOWICK:

Motion to table.

LEG. FOLEY:

Mr. Chairman, I thought you were going to say alternative newspapers and that would be a change.

P.O. CARACAPPA:

Yeah; alternating.

LEG. VILORIA • FISHER:

The Village Voice.

LEG. NOWICK:

Motion to table.

P.O. CARACAPPA:

There's a motion to table this for one cycle, Legislator Nowick?

LEG. KENNEDY:

Second.

LEG. NOWICK:

One cycle only, just a few little details to be worked out.

P.O. CARACAPPA:

These are the Republican County papers, correct? I'm just making it clear to everyone.

LEG. TONNA:

Wait, wait, we're tabling them?

P.O. CARACAPPA:

The Republican County papers for one cycle.

LEG. TONNA:

Till the January what meeting?

P.O. CARACAPPA:

Our first General Meeting.

LEG. TONNA:

Does that hurt us at all with our legals, Henry?

MR. BARTON:

Yes.

LEG. TONNA:

How much?

MR. BARTON:

It becomes ••

LEG. TONNA:

You're voted in already, Henry, so you can tell the truth now.

MR. BARTON:

Yeah. Well, it becomes a question of Counsel because technically we are supposed to designate a paper by the 10th of January. In the past, I have an opinion from the County Attorney that when we fail to do so we let the

previous papers carry over. I would refer this question to Counsel.

LEG. FOLEY:

We did this last year.

LEG. NOWICK:

Yeah, actually we did it last year.

MS. KNAPP:

The County Attorney's opinion that Henry mentions is based on I think an 1899 opinion. I mean, there's not a lot ••

LEG. TONNA:

That was a good year.

MS. KNAPP:

There's not a lot of law. We have done it in the past.

LEG. MYSTAL:

Ask Bill Lindsay, he was around.

MS. KNAPP:

It would clearly be much easier on the Clerk and better if we could designate it, but I understand that we have in the past tabled, he does have that opinion. So that we could probably continue to function, but I think that ••

LEG. TONNA:

Who would be the •• who gets it now, then, for the next meeting at least?

LEG. BISHOP:

The Democratic paper.

LEG. TONNA:

No, no, no.

P.O. CARACAPPA:

It's either the Long Island Business News or ••

MR. BARTON:

Long Island Business News I believe has it, had the second half, yeah.

LEG. TONNA:

The Business News, right? Okay. And maybe you can tell the people who come up with these papers, they had a long time to figure this out.

P.O. CARACAPPA:

Believe me, this was a surprise to me.

LEG. TONNA:

This is the huge •• this is the huge gossip •• this is the big thing that we had today, huh?

P.O. CARACAPPA:

Not that bad.

LEG. TONNA:

Republican legals, not that bad. But as Majority Leader, Pete, I mean, get your act together with, you know, the people and make sure that they have their papers and ••

P.O. CARACAPPA:

Well, just so you know, Legislator Tonna, this was not anticipated to be tabled, so. Legislator O'Leary.

LEG. O'LEARY:

I'm sitting here minding my own business, Legislator Tonna, I'm taking it all in now.

LEG. TONNA:

You know, I'm just saying, now that you're third in command, I just wanted to, you know, offer you the thought of maybe •• you know, having to streamline this, okay?

LEG. O'LEARY:

This process was completed in my mind and it still is. There was a request

on the part of a Legislator to table.

LEG. TONNA:

All right. Okay, I'm just saying, maybe we can think about that, you know, for you guys for next year.

P.O. CARACAPPA:

Legislator Nowick.

LEG. NOWICK:

Just quickly, we did have our act together, we just needed some numbers and we just had •• we just wanted one cycle and we promise you by the next meeting our act will be twice as together.

LEG. TONNA:

I'm enjoying this, no, no, please.

LEG. BINDER:

You want to recess?

P.O. CARACAPPA:

Okay, before we lose all that love from earlier, let's just move on. There's a motion and a second to table. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Next one is ***Resolution 10 • Designating the Smithtown News.*** Motion by Legislator Foley, this is the other County paper, second by Legislator Bishop. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

LEG. LINDSAY:

There's less of us.

P.O. CARACAPPA:

Resolution No. 11 • Designate Local Newspapers in which the County notices may be published. There is listed in the resolution •• there's a motion by myself, second by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

And No. 15 •• oh, I was to mention earlier that we're having a public hearing today and I believe we do have •• it's been posted, Mr. Clerk?

MR. BARTON:

It has been posted, Mr. Chairman, yes.

P.O. CARACAPPA:

So what we'll do is go right to the public hearing at this point in time.

LEG. BINDER:

On?

P.O. CARACAPPA:

On the CN that is before you.

LEG. FOLEY:

Mr. Chairman, the CN ••

P.O. CARACAPPA:

This is Tobacco 19.

LEG. FOLEY:

•• has been distributed to each Legislator and I ask for each Legislator's indulgence and patience. This was submitted for today.

LEG. BISHOP:

Motion to close the public hearing.

LEG. FOLEY:

Well, first •• I'll speak after we hear from anyone from the public who wishes to speak, Mr. Chairman, I'll wait.

P.O. CARACAPPA:

Yeah, there's one card; Mr. Stoner, you just couldn't help yourself, could you?

LEG. FOLEY:

I know he'll be very brief, Mr. Chairman.

MR. STONER:

First of all, I would like to say thank you for ••

MS. BRAATEN:

Your microphone is not on.

MR. STONER:

So let me start over. Will Stoner, Regional Advocacy Director for the American Cancer Society. I would like to extend congratulations I believe to Legislator Mystal for quitting smoking.

Applause

LEG. TONNA:

See how long that lasts?

MR. STONER:

And I promise to congratulate you every time I see you because that's a good way to start to quit is to have the encouragement.

LEG. MYSTAL:

As soon as I kill Tonna I'll be all right.

MR. STONER:

And I know that from experience, believe it or not. So ••

LEG. BINDER:

And Linda Bay for a week.

P.O. CARACAPPA:

To the point, let's go.

MR. STONER:

Oh, congratulations. Paul Perillie also, I believe Paul, a new father and recently quit; congratulations.

So just to move on quickly, thank you very much. I have never seen so many unanimous votes in my entire life, I am still young and I look forward to 2005. We had a great 2004, as far as the American Cancer Society's agenda goes, with this Legislative body, two of the proposals we were supporting garnered your unanimous support and I thank each and every one of you, Republican, Democrat. Presiding Officer, I appreciate the work that you've done with your caucus, and Deputy Presiding Officer; and also Brian, Brian Foley, Legislator Foley, the Minority Leader; Majority Leader O'Leary, thank you. We will win the fight on a number of fronts against cancer, it's going to be a long road, but with a body as enlightened as this one, solutions are not far off. I just hope that we can create •• this body creates sort of a Legislative Renaissance, if you will, and enlightens our friends across the border in Nassau County and continues the movement that's necessary to •• sorry?

LEG. MYSTAL:

We're going to Nassau ••

MR. STONER:

Good. So thanks again, I really appreciate it.

P.O. CARACAPPA:

Thank you, Mr. Stoner. Happy New Year to you. Okay.

LEG. FOLEY:

Motion to close the hearing.

P.O. CARACAPPA:

Any other cards? Anyone else wishing to be heard? Hearing none, there's a motion to close by Legislator Foley, second by Legislator Bishop. All in favor? Opposed? Abstentions?

LEG. FOLEY:

Motion to approve.

P.O. CARACAPPA:

The public hearing is closed.

MR. BARTON:

18.

P.O. CARACAPPA:

Now the CN is now before us.

LEG. FOLEY:

Motion to approve.

LEG. TONNA:

Second.

P.O. CARACAPPA:

Resolution 1000, motion to approve by Legislator Foley, second by Legislator Tonna. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

LEG. FOLEY:

Thank you, Mr. Chairman.

P.O. CARACAPPA:

The CN is approved. Good work, Legislator Foley.

LEG. FOLEY:

It's a great way to start the year and I thank you for the unanimous support for this very important public health initiative.

MR. BARTON:

18.

P.O. CARACAPPA:

We have no other business to come before the Legislature. Anyone wishing to be heard, any other business?

LEG. MYSTAL:

Motion to adjourn.

P.O. CARACAPPA:

Motion to adjourn by Legislator Mystal, second by myself.

Again, thank you all so very much. Happy New Year.

(*The meeting was adjourned at 12:42 P.M.*)